

Public Chapter 478

HOUSE BILL NO. 1104

By Representatives Lois DeBerry, Larry Turner

Substituted for: Senate Bill No. 1553

By Senator Ford

AN ACT to amend Tennessee Code Annotated, Titles 49, 56, 68, and 71, relative to at-risk children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. (a) There is hereby authorized and established a pilot for group therapeutic homes for at-risk children. The pilot project shall be administered by the Department of Children's Services. The provisions of this section shall only apply in counties having a population of not less than eight hundred twenty-five thousand (825,000) nor more than eight hundred thirty thousand (830,000) according to the 1990 Federal Census or any subsequent Federal Census. The pilot project shall expire on June 30, 2003.

(b) Group therapeutic homes shall include foster care and group homes which address the needs of at-risk youth, particularly the needs of mildly disturbed youth. Such homes shall employ a team support system for a continuity of care. The support team may include a psychiatrist or psychologist, a family therapist, a child care worker, and an activity specialist. The project may fund the refurbishing of existing homes.

SECTION 2. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the General Appropriations Act.

SECTION 3. 71-5-105(b) is deleted in its entirety and replaced with a new 71-5-105(b) which shall read as follows:

(b) The total number of beds in private for-profit and private not-for-profit ICF/MR facilities shall not exceed a total maximum number of six hundred sixty-eight (668). In compliance with the certificate of need process, private for-profit and private not-for-profit ICF/MR beds may be transferred from one location to another but the total number of such beds shall not exceed six hundred sixty-eight (668).

SECTION 4. Tennessee Code Annotated, Section 68-1-904 is amended by adding the following subsection:

(c) The Department of Health shall provide training for unlicensed individuals who administer medications to individuals incapable of self-administration. The training shall be provided only to unlicensed individuals who

are employed by agencies licensed under Title 33 or agencies under contract to provide residential or adult day programs for persons with mental retardation. Such unlicensed personnel shall not administer intravenous, intramuscular, and certain subcutaneous injectable medications as defined by rule. The Department of Health, in consultation with the Board of Nursing, shall promulgate rules, including public necessity rules, to provide for competency-based training, education, and appropriate monitoring of the unlicensed personnel covered by this subsection who shall have the authority to perform the services provided for in this subsection, notwithstanding the provisions of any other statute or rule.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.